

DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC)
2019 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2018

Subject: R-2019-05 Geospatial Electronic Data (GED)		CCR Title & Sections Affected: Add a new Chapter 53, Geospatial Electronic Data, to division 4.5 of Title 22, California Code of Regulations	Statute(s) Being Implemented: Health and Safety Code section 57013	
Responsible Agency Unit: Site Mitigation Program, Grants and Admin Support Branch	Contact Person & Phone Number: Jessica Nunes (916) 255- 3673	Projected Dates:		
		Notice Published: February 2019	Public Hearing: April 2019	Adoption by your agency: February 2020
		To OAL for review: February 2020		
Report on the status of all uncompleted rulemaking described on previous calendars: N/A				

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Subject: R-2018-01 Determining the Initial Penalty for Each Violation		CCR Title & Sections Affected: California Code of Regulations, section 66272.62		Statute(s) Being Implemented: HSC sections 25188, 25189, and 25189.2	
Responsible Agency Unit: Hazardous Waste Management Program – Enforcement and Emergency Response Division	Contact Person & Phone Number: Shawn Cox (916) 322-7527	Projected Dates:			
		Notice Published: February 2019	Public Hearing: March 2019	Adoption by your agency: April 2019	To OAL for review: April 2019
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC previously submitted an emergency regulation for this subject on February 14, 2018. This file is intended to be the final regulation for the previously reported emergency file.					

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Subject: R-2017-01 Hazardous Waste Facility Permit Decision Criteria: Cumulative Impacts and Vulnerable Communities		CCR Title & Sections Affected: California Code of Regulations, Title 22, Division 4.5, Chapters 20 and 21, sections 66270.14 and 66271.	Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, sections 25150, 25159, 25200.21, 58004 and 58012														
Responsible Agency Unit: Hazardous Waste Management Program – Permitting Division	Contact Person & Phone Number: Bonnie Holmes-Gen (916) 323-9757	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: center; padding: 5px;">Projected Dates:</th> </tr> <tr> <td style="width: 16.6%; padding: 5px; text-align: center;"> Notice Published: </td> <td style="width: 16.6%; padding: 5px; text-align: center;"> Public Hearing: </td> <td style="width: 16.6%; padding: 5px; text-align: center;"> Adoption by your agency: </td> <td style="width: 16.6%; padding: 5px; text-align: center;"> To OAL for review: </td> </tr> <tr> <td style="width: 16.6%; padding: 5px; text-align: center;"> November 2019 </td> <td style="width: 16.6%; padding: 5px; text-align: center;"> January 2020 </td> <td style="width: 16.6%; padding: 5px; text-align: center;"> November 2020 </td> <td style="width: 16.6%; padding: 5px; text-align: center;"> November 2020 </td> </tr> </table>				Projected Dates:				Notice Published:	Public Hearing:	Adoption by your agency:	To OAL for review:	November 2019	January 2020	November 2020	November 2020
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Notice Published:	Public Hearing:	Adoption by your agency:	To OAL for review:														
November 2019	January 2020	November 2020	November 2020														
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>DTSC released draft regulatory framework concepts in 2018 and conducted extensive outreach including 3 stakeholder consultation meetings and three regional public workshops. In 2019, DTSC is planning continued public and community outreach, including webinars and working group meetings, leading up to the release of another draft of pre-APA language in the spring of 2019. Following the release of revised language, DTSC plans an additional round of public workshops and community outreach before releasing public noticing a proposed regulation in late 2019.</p> <p>This file was reported in last year’s rulemaking calendar under the title, “Criteria for the Issuance of a Hazardous Waste Facility Permit Decisions - Cumulative Impacts.”</p>																	

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Subject: R-2017-04 Photovoltaic (PV) Modules – Universal Waste Management		CCR Title & Sections Affected: California Code of Regulations, title 22, division 4.5, chapter 23, sections: 66260.10, 66261.9, 66273.1, 66273.7.1, 66273.9, 66273.31, 66273.32, 66273.33.5, 66273.34, 66273.36, 66273.39, 66273.51, 66273.70, 66273.73, 66273.74, 66273.75, 66273.76, 66273.77	Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, Article 17, section 25259			
Responsible Agency Unit: Hazardous Waste Management Program – Policy and Program Support Division	Contact Person & Phone Number: Jessica Twining (916) 445-2959	Projected Dates:				
		Notice Published: March 2019	Public Hearing: April 2019	Adoption by your agency: March 2020	To OAL for review: March 2020	
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC incorporated feedback from informal workshops held in 2016 and 2017 into the proposed regulation text. DTSC is additionally seeking authorization for its universal waste program, which will allow PV modules that are RCRA hazardous wastes to be managed as universal waste in California. The proposed adoption of this regulation package will align with the completion of the authorization for DTSC’s universal waste program.						

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Subject: R-2017-05 Conditional Exclusion for Chemically Treated Metal Shredder Residue		CCR Title & Sections Affected: California Code of Regulations, Title 22, Division 4.5, Chapter 11, section 66261.4		Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, section 25150	
Responsible Agency Unit: Hazardous Waste Management Program – Policy and Program Support Division	Contact Person & Phone Number: Edward Benelli (916) 324-6564	Projected Dates:			
		Notice Published: October 2019	Public Hearing: December 2019	Adoption by your agency: October 2020	To OAL for review: October 2020
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC held a Pre-APA public Workshop on June 26, 2018 to solicit feedback and input from the public, the regulated community, and other stakeholders. A 30-day public comment period followed, and DTSC anticipates incorporating those comments into the proposed regulatory language prior to public notice.					

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Subject: R-2017-07 Section 100: Generator Improvements Rule Adoption		CCR Title & Sections Affected: California Code of Regulations, Title 22, Division 4.5, sections 66260.10, 66262.15, 66262.16, 66262.17, 66262.34, 66262.250, 66262.251, 66262.252, 66262.253, 66262.254, 66262.255, 66262.256, 66262.260, 66262.261, 66262.262, 66262.263, 66262.264, 66262.265, 66265.30, 66265.31, 66265.32, 66265.33, 66265.34, 66265.35, 66265.37, 66265.50, 66265.51, 66265.52, 66265.53, 66265.54, 66265.55, 66265.56, 66265.111, 66265.114, 66265.171, 66265.172, 66265.173, 66265.177, 66265.1102	Statute(s) Being Implemented: Health and Safety Code, Division 20, Chapter 6.5, section 25159.1										
Responsible Agency Unit: Hazardous Waste Management Program – Policy and Program Support Division	Contact Person & Phone Number: Omar Ghaleb (916) 324-1814	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: center; padding: 5px;">Projected Dates:</th> </tr> <tr> <td style="width: 15%; padding: 5px;"> Notice Published: N/A </td> <td style="width: 15%; padding: 5px;"> Public Hearing: N/A </td> <td style="width: 20%; padding: 5px;"> Adoption by your agency: May 2019 </td> <td style="width: 20%; padding: 5px;"> To OAL for review: May 2019 </td> </tr> </table>				Projected Dates:				Notice Published: N/A	Public Hearing: N/A	Adoption by your agency: May 2019	To OAL for review: May 2019
Projected Dates:													
Notice Published: N/A	Public Hearing: N/A	Adoption by your agency: May 2019	To OAL for review: May 2019										
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>DTSC has been developing regulation amendment language to incorporate the mandatory provisions of the federal rule to allow DTSC to maintain state authorization to implement the federal RCRA program.</p>													

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Subject: R-2019-01 Safer Consumer Products: Laundry Detergents with Nonylphenol Ethoxylates		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, section: Article 11, section 69511 and Section 69511.4		Statute(s) Being Implemented: Health and Safety Code sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Nancy Ostrom (916) 445-3077	Projected Dates:			
		Notice Published: April 2019	Public Hearing: June 2019	Adoption by your agency: April 2020	To OAL for review: April 2020
Report on the status of all uncompleted rulemaking described on previous calendars: N/A					

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Subject: R-2019-02 Safer Consumer Products: Carpets and Rugs with Perfluoroalkyl and Polyfluoroalkyl Substances (PFASs)		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, section: Article 11, section 69511 and Section 69511.5		Statute(s) Being Implemented: Health and Safety Code sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Nancy Ostrom (916) 445-3077	Projected Dates:			
		Notice Published: May 2019	Public Hearing: July 2019	Adoption by your agency: May 2020	To OAL for review: May 2020
Report on the status of all uncompleted rulemaking described on previous calendars: N/A					

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Subject: R-2019-03 Safer Consumer Products: Paint and Varnish Strippers and Graffiti Removers Containing 1-Methyl-2-pyrrolidone (NMP)		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, section: Article 11, section 69511 and Section 69511.6		Statute(s) Being Implemented: Health and Safety Code sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Nancy Ostrom (916) 445-3077	Projected Dates:			
		Notice Published: July 2019	Public Hearing: September 2019	Adoption by your agency: July 2020	To OAL for review: July 2020
Report on the status of all uncompleted rulemaking described on previous calendars: N/A					

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Subject: R-2019-04 Safer Consumer Products: Nail Products with Toluene		CCR Title & Sections Affected: Title 22 Division 4.5 Chapter 55, section: Article 11, section 69511 and Section 69511.7		Statute(s) Being Implemented: Health and Safety Code sections 25252 and 25253	
Responsible Agency Unit: Safer Consumer Products and Workplaces Program	Contact Person & Phone Number: Nancy Ostrom (916) 445-3077	Projected Dates:			
		Notice Published: October 2019	Public Hearing: December 2019	Adoption by your agency: October 2020	To OAL for review: October 2020
Report on the status of all uncompleted rulemaking described on previous calendars: N/A					